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Working Group on Indigenous Populations
Twelfth session
Item 8 (b) of the provisional agenda

# WORKING GROUP ON INDIGENOUS POPULATIONS:

# CONSIDERATION OF A PERMANENT FORUM FOR INDIGENOUS PEOPLES

Note by the Chairperson-Rapporteur,
Ms. Erica-Irene A. Daes

1. The World Conference on Human Rights, in its Vienna Declaration and Programme of Action (A/CONF.157/23), recommended that the General Assembly establish a permanent forum for indigenous people within the United Nations system. In its resolution 48/163 of 21 December 1993, proclaiming the International Decade of the World's Indigenous People, the General Assembly requested the Commission on Human Rights to give "priority consideration" to the establishment of a permanent forum for indigenous people within the United Nations system.

2. In response to this request the Commission on Human Rights, by its resolution 1994/28 of 4 March 1994, requested the Working Group on Indigenous Populations to give priority consideration at its twelfth session to the establishment of a permanent forum, and to transmit its "suggestions for alternatives" through the Sub-Commission to the Commission at its fifty-first session. In making this request, the Commission took into consideration the desirability of consulting with indigenous organizations before taking further action.

3. In view of the significance of the proposal to create a permanent forum for indigenous peoples, and the importance of elaborating this proposal in full partnership with indigenous peoples the Chairperson-Rapporteur has taken the liberty of preparing the following outline of relevant issues which may be considered by participants at the twelfth session of the Working Group.

4. It should be borne in mind that the permanent forum will become a permanent body of the United Nations, which may supplement or replace the existing Working Group as the means for indigenous peoples to express their concerns to the United Nations system and its Member States. Indigenous organizations should make every effort to continue to participate directly and actively in the consideration by the Sub-Commission, the Commission and the General Assembly of the scope and mandate of the forum.

Annex

OUTLINE OF ISSUES TO BE CONSIDERED IN THE ESTABLISHMENT OF A PERMANENT FORUM FOR INDIGENOUS PEOPLES

A. Mandate of the forum

Should the forum be authorized to coordinate and evaluate United Nations operational activities that affect indigenous peoples?

Should the forum be mandated to promote, coordinate and evaluate international cooperation for the benefit of indigenous peoples?

Should the forum be authorized to monitor the implementation of the Declaration on the Rights of Indigenous Peoples, once it has been approved by the General Assembly?

Should the forum have a mandate to publish information about the conditions and needs of indigenous peoples in all parts of the world?

Should the forum be authorized to monitor, investigate and report on situations concerning indigenous peoples in any part of the world?

Should the forum have any other functions or responsibilities?

B. Structure of the forum

Should the forum consist of five, ten or some other fixed number of voting members?

Should the voting members of the forum represent both Governments and indigenous peoples?

Should the voting members of the forum be elected by Governments; by Governments and by regional groupings of indigenous peoples; or be appointed by the Secretary-General?

If the voting membership of the forum is geographically balanced, which regional groupings of indigenous peoples should be represented?

Should the forum meet annually for one week or two weeks, or more frequently?

Should the forum meet in Geneva, in New York, or elsewhere?

C. Participation in the forum

Should the meetings of the forum be open to full participation by all indigenous peoples, regardless of consultative status with the Economic and Social Council?

Should the forum establish its own system of consultative status?

Should the meetings of the forum be open to full participation by Governments? By non-governmental organizations? By other organs and specialized agencies of the United Nations?

Should decisions of the forum require a consensus, or a majority vote, of all of the participants in its meetings?

D. Institutional status of the forum

Should the forum be established as a functional commission of the Economic and Social Council, as an expert body or committee of experts of the Council, or in some other institutional capacity?

Should the forum report through the Commission on Human Rights to the Economic and Social Council, or directly to the Council?

Should the forum be authorized to submit its reports directly to the subsidiary bodies of the Economic and Social Council, the General Assembly, or the Secretary-General?

Should the chairperson, or other persons designated by the forum, have any special status to participate in meetings of other bodies and organs of the United Nations system?

Should the secretariat for the forum be a part of the Centre for Human Rights, or be associated with another United Nations department or specialized agency?

Should the forum replace the existing Working Group or assume any of the existing functions or mandate of the Working Group?

E. Financing of activities of the forum

Which activities of the forum should be financed from the regular budget of the United Nations? Which activities of the forum could be financed from voluntary contributions?

What should be the relationship between the forum and the Board of Trustees of the existing Voluntary Fund for Indigenous Populations?

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